IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 16TH OCTOBER, 2007 / 24TH ASWINA, 1929

WP(C).No. 30540 of 2007(I)

PETITIONER:

RANI.J., AGED 28 YEARS,
D/O.JANARDHANAN PILLAI, RESIDING AT
PUTHUSSERY VEEDU, VELAMALOOR P.O.,
PARIPALLY, KOLLAM-74.

BY ADV. SRI.P.G.PARAMESWARA PANICKER (SR.)
SRI.P.GOPAL

RESPONDENTS:
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1. THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTION,
OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.

3. THE ASSISTANT EDUCATIONAL OFFICER,
CHADAYAMANGALAM.

4. THE HEAD MASTER,
LUTHERAN U.P.SCHOOL, NILAMEL.

5. REV.C.H.ALFRED,
FORMER MANAGER OF THE SCHOOLS UNDER THE
THIRUVANANTHAPURAM SYNOD OF INDIAN EVANGELICAL
LUTHERAN CHURCH (IELC), KURITHEMKUDI,
THANNIMOODU P.O., THIRUVANANTHAPURAM.

6. REV.R.VIJAYAKUMAR,
MANAGER OF THE SCHOOLS UNDER THE
THIRUVANANTHAPURAM SYNOD OF INDIAN EVANGELICAL
LUTHERAN CHURCH (IELC), KURITHEMKUDI,
THANNIMOODU P.O., THIRUVANANTHAPURAM.

7. JOSITHA, WORKING AS UPSA,
LUTHERAN U.P.SCHOOL, NILAMEL.

R1 TO R4 BY GOVT. PLEADER SRI.A.J.VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P (C).NO. 30540 OF 2007 - I

Dated this the 16th day of October, 2007

J U D G M E N T

The petitioner claims that she was appointed as U.P.S.A. in the fourth respondent's school by an approved Manager then existing, the fifth respondent herein. However, the appointment has not been approved. The petitioner filed Ext.P5 petition before the second respondent requesting the second respondent to invoke the jurisdiction vested in him under Rule 8A of Chapter XIVA of the Kerala Education Rules and to direct the third respondent to approve the appointment of the petitioner with effect from 15.7.2005 onwards. In the mean time, the petitioner is restrained from discharging the duties of U.P.S.A. by the new Manager namely, the sixth respondent herein by directing the Headmistress not to permit the petitioner to sign the attendance register. Therefore, the petitioner submitted Ext.P10 representation before the third

respondent. The petitioner seeks disposal of Exts.P5 and P10 representations by the second and third respondents respectively in accordance with law.

2. In the nature of the order I propose to pass, I do not think that it is necessary to issue notice to respondents 4 to 7 in this writ petition. I have heard the learned Government Pleader in the matter.

3. In the facts and circumstances of the case, there would be a direction to the second respondent to consider and pass appropriate orders on Ext.P5 as expeditiously as possible, at any rate within a period of one month from the date of receipt of a copy of this judgment, after affording an opportunity of being heard to all concerned including respondents 5 to 7. There would be a further direction to the third respondent to consider and pass appropriate orders on Ext.P10 as expeditiously as possible, at any rate within two weeks from the date of receipt of a copy of this judgment after affording an opportunity of being heard to all concerned including respondents 5 to 7. Till orders are passed as

above, status quo as on today shall be maintained.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED: 07-09-2007